

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LAW & ORDER - Hyderabad District – Custodial death of Sri Y. Srinivasa Rao, S/o. Y.V.V.S. Murthy, expired on 1-4-2011 in Police Custody at Ramgopalpet Police Station - Entrustment of case to CBCID based on the recommendations of NHRC – Orders – Issued.

GENERAL ADMINISTRATION (L&O.1) DEPARTMENT

G.O.Rt. No. 3913

Dated: 02-9-2013
Read the following:-

01. From the Collector, Hyderabad District Letter Rc. No. C2/4405/2011, Dated 28-11-2012.
02. From the Asst. Registrar (Law), NHRC, New Delhi Letter dated 31-5-2013 in case No. 451/1/10/2011-PCD/UC.

ORDER

In the reference 1st read above, the Collector, Hyderabad District has forwarded Magisterial Enquiry Report on the custodial death of Sri Y. Srinivas Rao, S/o. YVVS Murthy, who expired on 1-4-2011 at Ramgopalpet Police Station to the National Human Rights Commission, New Delhi and Government of Andhra Pradesh for taking further necessary action.

2. In the reference 2nd read above, the Asst. Registrar (Law), NHRC, New Delhi has informed that the matter was considered by the Commission on 27-5-2013 and the Commission has directed as follows:-

"The late Shri Y. Srinivas Rao was wanted in Crime No. 83/11 U/s. 417/418/420/467/471/477 IPC of Police Station Ramgopalpet, District Secunderabad, Andhra Pradesh. He was arrested on 31-3-2011. While he was being taken to the Police Station he had requested the police to allow him to take medicines from his house at Hyderabad. The police took him there, where he went inside his house and allegedly had some altercation with his wife. He jumped off the fourth floor of the building and sustained injuries and subsequently died on 01-4-2011.

The MER and other documents were analysed by the Investigation Division of the Commission and the analysis is as under:-

- i) The wife of the deceased stated during the magisterial inquiry that her husband was brought home by the Police for search of documents and that she did not talk to him, whereas the police report said that the police took the deceased to his house on his request for taking some medicines and there he had some altercation with his wife.*
- ii) Instead of using government vehicle, the police went to Khammam (to arrest the deceased) in a private vehicle along with the complainant of the FIR.*
- iii) The police have not sent any GD entry about their movement to Khammam.*
- iv) It is unusual to take an accused to his residence at his death and the family members alleged custodial violence.*
- v) Some newspaper clipping are annexed with MER and as per these reports, the deceased was reported arrested 2/3 days prior to his death and the family members alleged custodial violence.*

In view of the facts and circumstances of the case above mentioned, it would be appropriate that the matter is inquired into by the CBCID. Hence, the Chief Secretary, Government of Andhra Pradesh, is asked to get the matter inquired into by the CBCID of the State. The inquiry report is expected to be received in the Commission within eight weeks. However, the Chief Secretary should confirm within four weeks that the inquiry has been entrusted to the CBCID".

3. The Government after careful examination of the matter have decided to entrust the case to the Director General, C.B.C.I.D., for investigation into the circumstances leading to the said incident and on the observations of NHRC and to submit report to Government immediately for taking further action.

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4. The Director General, C.B.C.I.D., shall initiate necessary further action accordingly.

5. This order issues with the concurrence of Home (SC.B) Department vide their U.O. No. 105/SC.B/A1/2013-2, Dated 28-8-2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

N. SIVA SANKAR
SECRETARY TO GOVERNMENT (POLL)

To
The Director General, C.B.C.I.D., Andhra Pradesh, Hyderabad.

Copy to :-

The Home (SC.B) Department.

The Director General of Police, AP, Hyderabad.

The Collector, Hyderabad District, Hyderabad.

The Commissioner of Police, Hyderabad.

The Addl. Director General of Police (Intelligence), Andhra Pradesh, Hyderabad.

The Asst. Registrar (Law), NHRC, Copernicus Marg, Faridkot House, New Delhi.

SF/SC.

// Forwarded By Order //

SECTION OFFICER (SC)